

**UNITED STATES BANKRUPTCY COURT
NORTHERN DISTRICT OF ILLINOIS
EASTERN DIVISION**

In Re:	)	Case No:	18-35764
Janita Henley)		
	)	Chapter:	Chapter 13
Debtor)		
	)	Judge:	Timothy A. Barnes

NOTICE OF MOTION

TO: See attached list

PLEASE TAKE NOTICE that on July 14, 2022 at 10 AM, I will appear before the Honorable Timothy A. Barnes, or any judge sitting in that judge's place, and present the motion of Janita Henley to modify her Chapter 13 Plan, a copy of which is attached

This motion will be presented and heard electronically using Zoom for Government. No personal appearance in court is necessary or permitted. To appear and be heard on the motion, you must do the following:

To appear by video, use this link: <https://www.zoomgov.com/>. Then enter the meeting ID and passcode.

To appear by telephone, call Zoom for Government at 1-669-254-5252 or 1-646-828-7666. Then enter the meeting ID and passcode.

Meeting ID and passcode. The meeting ID for this hearing is 161 329 5276 and the passcode is 433658. The meeting ID and passcode can also be found on the judge's page on the court's website.

If you object to this motion and want it called on the presentment date above, you must file a Notice of Objection no later than two (2) business days before that date. If a Notice of Objection is timely filed, the motion will be called on the presentment date. If no Notice of Objection is timely filed, the court may grant the motion in advance without a hearing.

By: /s/ Dale Allen Riley

Dale Allen Riley
Geraci Law L.L.C.
55 E. Monroe Street #3400
Chicago, Illinois 60603
312.332.1800
ndil@geracilaw.com

**UNITED STATES BANKRUPTCY COURT
NORTHERN DISTRICT OF ILLINOIS
EASTERN DIVISION**

In Re:	)	Case No:	18-35764
Janita Henley)		
	)	Chapter:	Chapter 13
Debtor)		
	)	Judge:	Timothy A. Barnes

CERTIFICATE OF SERVICE

I, Dale Allen Riley, hereby certify that I served a copy of this notice along with the aforementioned document upon the listed parties, by causing the same to be mailed in a properly addressed envelope, postage prepaid, from 55 E. Monroe, Suite 3400, Chicago, Illinois, on June 22, 2022 at 12:38 PM.

**UNITED STATES BANKRUPTCY COURT
NORTHERN DISTRICT OF ILLINOIS
EASTERN DIVISION**

In Re:	)	Case No:	18-35764
Janita Henley)		
	)	Chapter:	Chapter 13
Debtor)		
	)	Judge:	Timothy A. Barnes

LIST OF PARTIES SERVED

Marilyn O. Marshall, 224 S. Michigan Ave. #800 , Chicago, IL 60604

Office of the U.S. Trustee, 219 S. Dearborn, Suite 873, Chicago, Illinois 60604

Janita D Henley, 9931 S.Lowe Ave , Chicago, IL 60628

See attached list

Capitalone
Attn: Bankruptcy Dept.
15000 Capital One Dr
Richmond VA 23238

KIA Motors Finance
Attn: Bankruptcy Dept.
4000 Macarthur Blvd Ste
Newport Beach CA 92660

COMENITY BANK/Ashstwr
Attn: Bankruptcy Dept.
Po Box 182789
Columbus OH 43218

C T Corporation System
Registered Agent For KIA Motors
Finance
Attn: Bankruptcy Department
208 S LaSalle St
Chicago IL 60604

COMENITY BANK/Torrid
Attn: Bankruptcy Dept.
Po Box 182789
Columbus OH 43218

Merchants Credit Guide
Attn: Bankruptcy Dept.
223 W Jackson Blvd Ste 7
Chicago IL 60606

Consumer Portfolio
Attn: Bankruptcy Dept.
Po Box 57071
Irvine CA 92619

Clerk, Fourth Mun Div
18M4006660
1500 Maybrook Dr #236
Maywood IL 60153

Markoff Law LLC
Bankruptcy Dept.
29 N. Wacker Drive Suite 550
Chicago IL 60606

Consumer Portfolio SVC
Attn: Bankruptcy Dept.
Po Box 57071
Irvine CA 92619

Clerk, Fourth Mun Div
18 M4 6660
1500 Maybrook Dr #236
Maywood IL 60153

Markoff Law LLC
Bankruptcy Dept.
29 N. Wacker Drive Suite 550
Chicago IL 60606

Freedom Mortgage Corporation
Bankruptcy Department
PO Box 37628
Philadelphia PA 19101

IL Department OF Human Service
C/O Harvard Collection SER
4839 N Elston Ave
Chicago IL 60630

**IN THE UNITED STATES BANKRUPTCY COURT
FOR THE NORTHERN DISTRICT OF ILLINOIS, EASTERN DIVISION**

In Re: Janita Henley Debtor)))))	Case No: 18-35764 Chapter: Chapter 13 Judge: Timothy A. Barnes
--	-----------------------	---

MOTION TO MODIFY CONFIRMED PLAN

NOW COMES the Debtor, Mrs. Janita Henley (the “Debtor”), by and through her attorneys, Geraci Law L.L.C., to present her **MOTION TO MODIFY CONFIRMED PLAN**, and states as follows:

1. This Court has jurisdiction over this proceeding pursuant to 28 U.S.C. 1334 and this is a “core proceeding” under 28 U.S.C. 157(b)(2).
2. The Debtor filed her Petition for Relief and plan under Chapter 13 of the U.S. Bankruptcy Act on 12/28/2018.
3. The Debtor’s plan was confirmed by the Court on 3/14/2019.
4. The Debtor fell behind on her Chapter 13 Plan payments beginning primarily in March of 2022. She remains with the same employer and had been making payments to the Chapter 13 Trustee but upon information and belief her employer changed payroll software in early 2022, at which point the payroll deductions apparently stopped.
5. The Debtor does not actively monitor her paystubs so she did not notice until the Chapter 13 Trustee filed a motion to dismiss her Chapter 13 for nonpayment based on the accrued default of just under \$2,000.
6. The Debtor’s employer has resumed deducting payments for the Chapter 13 but the default in payments remains. The Debtor had initially planned to cure her default directly but has advised her attorneys that she is now unable to provide sufficient funds to fully cure the default in payments due to major car repairs. See attached Exhibit A for documentation of some of those expenses.

7. It is feasible to defer the pending default to the Chapter 13 Trustee without the Debtor's plan exceeding the maximum available term. The plan projects to pay its 100% dividend within a total of approximately 55 months at the current rate of payments.

WHEREFORE THE DEBTOR, Mrs. Janita Henley, respectfully requests this Honorable Court enter an order:

1. Deferring arrears to the end of the plan term, and
2. For any other relief the court deems proper.

By: /s/ Dale Allen Riley
Dale Allen Riley

Attorneys for the Debtor

Geraci Law L.L.C.
55 E. Monroe Street #3400
Chicago, Illinois 60603
(Ph): 312.332.1800 (Fax): 877.247.1960